

**UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF VERMONT**

LITTLEJOHN,	)	
	)	
Plaintiff	)	CIVIL ACTION NO. 5:14-CV-200
v.	)	
	)	
TIMBERQUEST PARK at MAGIC, LLC	)	
et al,	)	
Defendants	)	

EVALUATOR'S REPORT

Please select one:

☐ First Session Report  
☒ Second Session Report  
☐ Third Session Report  
☐ Corrected/Revised Report  
☐ Supplemental Report  
☐ Other

Michael J. Marks, Esquire, the Early Neutral Evaluator, reports pursuant to Local Rule 16.1 (j) on the ENE session in this matter as follows:

<b>(j)(1)(A):</b>	<b>Date of session:</b>	<b>Start time:</b>	<b>Finish time:</b>
	April 13, 2016	10:00 a.m.	8:30 p.m.
<b>(j)(1)(B):</b>	<b>Names of attendees:</b>	<b>Role:</b>	<b>Settlement authority:</b> (check only where applicable)
	Joseph Littlejohn- by telephone	Plaintiff	X
	Thomas McCormick, Esq.	Counsel for Plaintiff	
	Daniel Burchard, Esq.	Counsel for Plaintiff	
	Martha Hunt, Esq.	Counsel for Plaintiff	
	Amy Griggs	Insurance adjuster for Defendant Corporate Challenge	X
	Rod McPhee, Esq.	Counsel for Corporate Challenge	
	Heather Cooper, Esq.	Counsel for Corporate Challenge	

David Rosow	Representative for Defendant Timberquest	
Thomas Waterfield	Insurance adjuster for Defendant Timberquest	X
Robert Cain, Esquire	Counsel for Defendant Timberquest	

**(j)(1)(C): Substitute arrangements regarding attendance:**

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**(j)(1)(D): Date parties' Evaluation Statements received by Evaluator:**

Early neutral evaluation statements were filed in a timely manner and allowed for adequate preparation by the evaluator.

**(j)(1)(E): Oral presentations:** By all Parties

**(j)(1)(F): Results of session:**

**(j)(1)(F)(i):** ☒ Full settlement ☐ Partial settlement  
☐ No Settlement


**(j)(1)(F)(ii): Stipulation to narrow the scope of dispute:** ☐ N/A

**(j)(1)(F)(iii): Agreement to limit discovery, facilitate future settlement, or otherwise reduce cost and delay related to trial preparation:**

**Scheduling another ENE session:** ☐ Yes ☐ NO

**Other comments:** (please refer to L.R. 16.1 (j)(2)):

Dated at Middlebury, Vermont on this 15<sup>th</sup> day of April, 2016.

  
Michael J. Marks, Esq., Evaluator 